



# City of Mesquite, Texas

## Meeting Agenda

### City Council

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Monday, June 6, 2016

5:30 PM

City Hall | Council Chamber  
757 N. Galloway | Mesquite, Texas

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#### **PRE-MEETING - TRAINING ROOMS A&B - 5:30 P.M.**

#### **AGENDA REVIEW**

#### **STAFF PRESENTATIONS**

- 1 Receive briefing regarding Program Year 2016 Community Development Block Grant (CDBG) applications and budget.
- 2 Discuss preliminary design schematic for Gus Thomasson Road from US Highway 80 to Town East Boulevard.

#### **EXECUTIVE SESSION - EXECUTIVE CONFERENCE ROOM - 5:30 P.M.**

In accordance with Chapter 551 of the Texas Government Code, the City Council reserves the right to adjourn into executive session to discuss any of the following:

- Pending and/or Contemplated Litigation
- Purchase, Exchange, Lease or Value of Real Property
- Personnel Matters
- Economic Development

#### **REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:00 P.M.**

#### **INVOCATION**

Dr. W. R. Willis, Pastor, Calvary Community Church, Mesquite, Texas.

#### **PLEDGE OF ALLEGIANCE**

Members of Girl Scout Troop 6756.

#### **SPECIAL ANNOUNCEMENTS**

This time is reserved for special announcements and recognition of individuals or groups.

**CITIZENS FORUM**

At this time a number of citizens not to exceed 10 shall be allowed to speak on any matter other than personnel matters, matters under litigation or matters concerning the purchase, exchange, lease or value of real property for a length of time not to exceed three minutes on a first-come, first-served basis. No Council action or discussion is to be taken until such matter is placed on the Agenda and posted in accordance with law.

**PRESENTATIONS**

- 3 Presentation of Certificates of Election to Councilmembers Bruce Archer, Place 3, Dan Aleman, Place 4, and Greg Noschese, Place 5.
- 4 Recognize employees through the Real. Texas. Service. Champions program.
- 5 Recognize Small Business Week video participants.

**CONSENT AGENDA**

(All items on the Consent Agenda are routine items and may be approved with one motion; however, should any member of the City Council or any individual wish to discuss any item, said item may be removed from the Consent Agenda by motion of the City Council.)

- 6 Minutes of the regular City Council meeting held May 16, 2016, and the Special City Council meeting held May 18, 2016.
- 7 An ordinance adopting Supplement No. 51 to the Code of Ordinances for the City of Mesquite.
- 8 An ordinance, on second and final reading, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corporation, Mid-Tex Division ("Company") regarding the Company's 2016 Rate Review Mechanism filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; requiring the Company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this ordinance to the Company and the ACSC's legal counsels.
- 9 An ordinance providing for the abandonment of 20-foot wide utility easements located at the QuikTrip convenience store under construction at 1610 W. Scyene Road for the fair market value of \$28,035.00.

- 10 An ordinance amending Chapter 9 of the City Code concerning the location of school zones for Range Elementary School along Town East Boulevard at the intersection of Bamboo Street, effective August 22, 2016.
- 11 An ordinance amending Chapter 10 of the City Code thereby updating public places where smoking is prohibited.
- 12 An ordinance amending Chapter 9 of the City Code by adding a new Article XII thereby providing photographic enforcement and administrative adjudication of school bus stop arm violations, effective July 1, 2016.
- 13 A resolution authorizing the City Manager to finalize and execute an interlocal agreement with Mesquite Independent School District to administer and enforce the School Bus Safety Camera Enforcement Program.
- 14 A resolution authorizing the City Manager to execute the Local Project Advance Funding Agreement for a Transportation Alternatives Program with the Texas Department of Transportation for the construction of a 12-foot wide hike and bike trail along Town East Boulevard from Military Parkway to Skyline Drive.
- 15 A resolution designating Senior Assistant City Attorney Ileana Fernandez to serve as Public Information Coordinator for the City of Mesquite.
- 16 Bid No. 2016-070 - Annual Supply of Emergency Medical Drugs.  
(Staff recommends award to Bound Tree Medical, LLC, in the amount of \$54,932.05.)
- 17 Bid No. 2016-075 - Installation of New Cameras at the City Service Center.  
(Authorize the City Manager to finalize and execute the necessary documents with Convergent Technologies through Texas Department of Information Resources [DIR] Contract No. DIR-SDD-1724 in the amount of \$79,139.09.)
- 18 Authorize the City Manager to execute a Memorandum of Understanding with STAR Transit, the Regional Transportation Council and the North Central Texas Council of Governments concerning purchase of transit service for seniors and individuals with disabilities.
- 19 Authorize the City Manager to execute a change order to Bid No. E2016-001, South Mesquite Creek Sanitary Sewer 48-inch Trunk Main Rehabilitation by Cure-In-Place Pipe (CIPP), Phase 1 (Beginning at the Waste Water Treatment Plant to approximately 1,600 feet south of Lawson Road) with Insituform Technologies, LLC, for additional cleaning and rehabilitation to facilitate flow monitoring in the amount of \$67,662.50 and adding 45 calendar days to the project contract time.

- 20 Approve the sale of two parcels (Parcel 2 and Parcel 2E) of City-owned property to the Texas Department of Transportation in the amount of \$10,162.00 for right-of-way and drainage easements in conjunction with the construction and reconstruction of the service roads on Interstate Highway 635 and US Highway 80 and authorize the City Manager to finalize and execute the necessary documents.
- 21 Adopt a new Equal Employment Opportunity Non-Discrimination Policy Statement.

**PUBLIC HEARING**

- 22 Conduct a public hearing and consider a request from McIntyre Wrecking Service to substitute a wood screening wall for the required masonry screening wall on property located at 4515 East US Highway 80.  
(This item was postponed at the May 16, 2016, City Council meeting.)

**RECEIPT OF RESIGNATION**

- 23 Receive resignation from Branden Gums as a member of the Mesquite Veterans' Affairs & Memorial Advisory Board.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

- 24 Consider appointment of a Mayor Pro Tem and Deputy Mayor Pro Tem for one-year terms.
- 25 Consider appointment of principal and alternate members to the Regional Transportation Council for a term to expire June 30, 2018.
- 26 Consider appointment of one member to the Mesquite Housing Finance Corporation for a term to expire December 31, 2017.
- 27 Consider appointment of one member to the Mesquite Health Facilities Development Corporation for a term to expire December 31, 2017.
- 28 Consider appointment of one member to the Rodeo City Tax Increment Finance Reinvestment Zone No. One Board of Directors for a term to expire December 31, 2016.
- 29 Consider appointment of one member to the Towne Centre Tax Increment Finance Reinvestment Zone No. Two Board of Directors for a term to expire December 31, 2016, and appointment of a Chairperson for an unexpired term ending December 31, 2016.
- 30 Consider appointment of one member to the Falcon's Lair Tax Increment Finance Reinvestment Zone No. Four Board of Directors for a term to expire December 31, 2017.

- 31 Consider appointment of two members to the Ridge Ranch Tax Increment Finance Reinvestment Zone No. Five Board of Directors for terms to expire December 31, 2016.
- 32 Consider appointment of one member to the Lucas Farms Tax Increment Finance Reinvestment Zone No. Six Board of Directors for a term to expire December 31, 2016.
- 33 Consider appointment of one member to the Skyline Tax Increment Finance Reinvestment Zone No. Seven Board of Directors for a term to expire November 2, 2017.
- 34 Consider appointment of one member to the Gus Thomasson Tax Increment Finance Reinvestment Zone No. Eight Board of Directors for a term to expire November 2, 2017.

## **ADJOURNMENT**

### **NOTICE OF EXECUTIVE SESSION**

#### **Pending and Contemplated Litigation**

Pursuant to Section 551.071 of the Texas Government Code, the City Council will meet in closed session to consider pending or contemplated litigation subjects or settlement offers. The following cases/subjects may be discussed:

1. Susan Flander v. Department of Public Safety et al – Filed 11-15-13
2. Kathleen Parvin v. The City of Mesquite – Filed 1-26-15
3. James H. Watson and Others Similarly Situated v. City of Allen, City of Amarillo, City of Arlington, City of Austin, City of Balch Springs, City of Balcones Heights, City of Bastrop, City of Baytown, City of Bedford, City of Burleson, City of Cedar Hill, City of Cleveland, City of Conroe, City of Coppell, City of Corpus Christi, City of Dallas, City of Denton, City of Diboll, City of Duncanville, City of El Paso, City of Elgin, City of Farmers Branch, City of Fort Worth, City of Frisco, City of Garland, City of Grand Prairie, City of Haltom City, City of Humble, City of Hurst, City of Hutto, City of Irving, City of Jersey Village, City of Killeen, City of League City, City of Little Elm, City of Longview, City of Lufkin, City of Magnolia, City of Marshall, City of Mesquite, City of North Richland Hills, City of Plano, City of Port Lavaca, City of Richardson, City of Richland Hills, City of Roanoke, City of Round Rock, City of Southlake, City of Sugar Land, City of Tomball, City of University Park, City of Watauga, City of Willis, Redflex Traffic Systems, Inc., American Traffic Solutions, Inc., American Traffic Solutions, LLC, Xerox State & Local Solutions, Inc., f/k/a ACS State & Local Solutions, Inc., and the State of Texas – Filed 4-28-15
4. Kathy Dyer and Robert Dyer, Individually and as Representative of the Estate of Graham Dyer v. City of Mesquite, Texas; Jack Fyall; Richard Houston; Alan Gafford; Zachary Scott; William Heidelberg; Paul Polish; Joe Baker; Bill Hedgpeth – Filed 8-12-15
5. Andrea Perez Simpson v. City of Mesquite; PM Construction and Rehab, LLC; Inland Pipe Rehabilitation, LLC; PM Construction-Texas – Filed 9-21-15
6. Angeles Estrada-Padron v. The City of Mesquite – Filed 11-9-15
7. Kavin Rhodes v. Mesquite Police Department, Officers M. B. Winters, D. L. Boykin, J. P. Vassilakos, G. W. Hensley, E. A. Sparling, W. D. Mosley – Filed 1-27-16
8. Travis Tryon v. City of Mesquite – Filed 2-25-16

**Personnel Matters**

Pursuant to Section 551.074 of the Texas Government Code, the City Council may consider the appointment, evaluation, employment, reassignment, duties, discipline or dismissal of the City Manager, City Attorney, Municipal Court Judge, City Secretary, members of the various City boards and commissions, and City officers or other employees. A complete list of the members of the City boards and commissions is on file in the City Secretary's office.

Following discussions in executive session, the City Council will reconvene in open session where any final action regarding executive session items will be taken.

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters posted on this agenda, when such executive session is authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations regarding Real Property), 551.073 (Deliberations regarding Gifts or Donations), 551.074 (Personnel Matters), 551.076 (Deliberations regarding Security Devices or Security Audits) and 551.087 (Economic Development); Texas Tax Code Section 321.3022 (Sales Tax Information) and Texas Government Code Section 418.183(f) (Emergency Management).

The City Hall is wheelchair accessible. Any requests for sign interpretive services must be made 48 hours in advance of the meeting. To make arrangements, call the City Secretary's office at 972-216-6244 or TDD 1-800-735-2989.

**Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.**

**Conforme a la Sección 30.06 del Código Penal (entrada ilegal de persona titular de licencia con arma de fuego oculta), personas con licencia segun el Sub-capitulo H, Capitulo 411, Código de Gobierno (ley de permiso para portar arma de fuego), no deben entrar a esta propiedad portando un arma de fuego oculta.**

**Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.**

**Conforme a la Sección 30.07 del Código Penal (entrada ilegal de persona titular de licencia con arma de fuego a la vista), personas con licencia segun el Sub-capitulo H, Capitulo 411, Código de Gobierno (ley de permiso para portar arma de fuego), no deben entrar a esta propiedad portando una arma de fuego a la vista.**